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8/11/2020
Permission to file under seal
unredacted copies of 1-4 is
granted. SO ORDERED.

VIA CM-ECF



Honorable Paul A. Crotty
United States District Court
Southern District of New York
500 Pearl Street, Chamber 1350
New York, NY 10007

RE: *In re: Zimmer M/L Taper Hip Prosthesis or M/L Taper Hip Prosthesis with Kinectiv Technology and VerSys Femoral Head Products Liability Litigation*
Case Numbers: 18-MD-2859 (PAC); 18-MC-2859 (PAC)

Dear Judge Crotty:

In connection with Plaintiffs' Motion to Compel Distributor Communications (Dkt. No. 294), Plaintiffs have cited to three documents, which Defendants have marked confidential. As filed today on ECF, Plaintiffs have included placeholder Exhibits for the confidential documents and discussion of the documents in Plaintiffs' letter brief has been redacted. Plaintiffs respectfully request permission to file under seal unredacted copies of the following filings:

1. Plaintiffs' Letter Brief;
2. Exhibit A, excerpts from the deposition transcript of Steve Vankoski taken on July 23 and 24, 2020;
3. Exhibit F, emails produced in response to the Defendant Fact Sheet, beginning at ZIM-SDNY MDL DFS00043711; and
4. Exhibit G, Email correspondence produced by Defendants beginning at ZIM-SDNY MDL 00249797.

Plaintiffs are unable to discern the bases for Zimmer's assertions of confidentiality, but are requesting to file these documents under seal under the assumption the confidentiality

The Honorable Paul A. Crotty
Page 2

designations were made in good faith. The parties making the designations are better positioned than Plaintiffs to explain their confidentiality designations, if the Court has any questions about the bases for them. The chambers copy electronically mailed to the Court will include unredacted copies of the above filings, as well as the redacted filings that are filed on ECF.

Respectfully submitted,

/s/Kelly K. McNabb

Kelly K. McNabb

On behalf of the Plaintiffs' Executive Committee

cc: Counsel of Record
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